

To: Elizabeth Butler/R2/USEPA/US@EPA[]
From: "Levine, Larry"
Sent: Fri 10/17/2008 6:08:42 PM
Subject: FW: Passaic/Hudson
Stip and Order (with exhibit and attachment).pdf
llevine@nrdc.org

Hi Elizabeth -- Nice to see you yesterday. I meant to cc you on this too.

-Larry

From: Levine, Larry
Sent: Friday, October 17, 2008 2:08 PM
To: 'mugdan.walter@epa.gov'; 'kluesner.dave@epa.gov'
Subject: Passaic/Hudson

Hi Walter and Dave,

It was good to talk with you both at the symposium yesterday. In talking with Dave, it became apparent that I had been a bit cryptic in my remarks about "lessons learned" from the Hudson site concerning transparency, and that my comment regarding the Hudson site may have been interpreted over-broadly. What I had in mind, specifically, was the set of issues that arose around the time the consent decree was proposed. As you may know, that ultimately resulted in a FOIA settlement that set forth some guidelines for how the Region would handle certain categories of Hudson site documents in the future -- some to be pro-actively circulated to the public, and others deemed generally to be releasable upon request. It's my sense that, since that settlement, the lines of communication have been smoother between EPA and advocates working on the site.

I've attached a copy of the settlement to this email -- see specifically "Attachment 1 to Exhibit A," titled "EPA Statement of Expectations With Respect to Future Release of Certain Categories of Records Concerning the Hudson River PCBs Superfund Site." While the extent to which advocates on the Passaic will want to review specific types of documents may differ from the situation with the Hudson, I think this model is instructive as to the sorts of documents that should be made available to interested members of the public concerning the Passaic site.

Thanks. And Dave, I look forward to talking with you next week.

-Larry
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Lawrence Levine
Attorney, NY/NJ Harbor/Bight Project
Natural Resources Defense Council
40 W. 20th Street
New York, NY 10011
(212) 727-4548
Fax: (212) 727-1773
llevine@nrdc.org

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